

WELL61.002AUS

PATENT

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

To the Commissioner of Patents and Trademarks:

The undersigned is empowered to act on behalf of the assignee indicated below (the "Assignee"). The original assignment of the U.S. Application No. 10/736,448, filed December 15, 2003, for Letters Patent for the invention in REFOLDED MEMBRANE PROTEIN IN MONODISPERSE FORM from the inventors to the Assignee is being submitted herewith for recordation by the Assignment Branch. A true copy of this Assignment is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee. I have reviewed this Assignment, and to the best of the Assignee's knowledge and belief, the Assignee is the owner of the entire right, title, and interest in the above-referenced application.

I declare that all statements made herein of my own knowledge are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

Assignee: M-phasys GmbH

By: Wolfgang Vög

Printed Name: WOLFGANG VOGT

Title: COO

Address: Vor dem Kreuzberg 17
72070 Tuebingen Germany

Dated: 07. Mai 2004

COPY

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PATENT

ASSIGNMENT

WHEREAS, I, (1) Lars Linden, a citizen of Germany, residing at ~~Hohesteige~~ ^{Hol: 546} 6, 72076 Tuebingen, Germany; (2) Stefan Prytulla, a citizen of Germany, residing at Kirchentellinsfurterstr. 31, 72127 Kusterdingen, Germany; (3) Thomas Ostermann, a citizen of Germany, residing at Untere Strasse 44, 72070 Unterjesingen, Germany; (4) Monika Baehner, a citizen of Germany, residing at Quenstedtstr. 30, 72076 Tuebingen, Germany; (5) Tilmann Roos, a citizen of Germany, residing at Kirchentellinsfurterstr. 16, 72127 Kusterdingen, Germany; (6) Andreas Thess, a citizen of Germany, residing at Andreas-Kemmler-Weg 3, 72127 Kusterdingen, Germany; (7) Hans Kiefer, a citizen of Germany, residing at Landhaushöhe 29/1, 72070 Tuebingen, Germany; (8) Wolfgang Vogt, a citizen of Germany, residing at Schellingstr. 2, 72072 Tuebingen, Germany, hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in REFOLDED MEMBRANE PROTEIN IN MONODISPERSE FORM, the specification of which was filed on December 15, 2003 as Application No. 10/736,448.

AND WHEREAS, M-phasys GmbH, with its principal place of business at Vor dem Kreuzberg 17, 72070 Tuebingen, Germany (hereinafter referred to as Assignee) desires to acquire the entire right, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 19 day of April, 2004


Signature of Lars Linden

Witness: Wolfgang Vogt

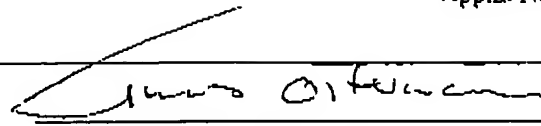
This 27 day of April, 2004



Signature of Stefan Prytulla

Witness: Wolfgang V

This 20 day of April, 2004



Signature of Thomas Ostermann

Witness: Wolff Vg

This 21 day of April, 2004

h L Bae
Signature of Monika Baehner

Witness: Wolfgang Uyl

This 19 day of April, 2004



Signature of Tilmann Roos

Witness: Wolfgang V. [Signature]

This 21 day of April, 2004

Andreas Theß
Signature of Andreas Theß

Witness: Wolfgang Vgt

This 26 day of April, 2004

H. Kiefer
Signature of Hans Kiefer

Witness:

Wolfgang

This 20 day of April, 2004

Wolfgang Vogt
Signature of Wolfgang Vogt

Witness: h 3a